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UNITED STATES DISTRICT COURT  
DISTRICT OF NEVADA

8 DONALD MORRISON, )  
9 Plaintiff, )  
10 v. ) 3:14-cv-88-MMD-VPC  
11 NEVADA BOARD OF PAROLE ) ORDER  
12 COMMISSIONERS, )  
13 Defendant. )

14 I. DISCUSSION

15 Plaintiff, who is a prisoner in the custody of the Nevada Department of Corrections, has  
16 submitted a motion for appointment of counsel and a 23-page letter which may be operating  
17 as Plaintiff's complaint. (ECF No. 1-1, 1-2). However, Plaintiff has not filed an application to  
18 proceed *in forma pauperis* and has not paid the full filing fee in this case. (See ECF No. 1).  
19

20 Pursuant to 28 U.S.C. § 1915(a)(2) and Local Rule LSR 1-2, Plaintiff must complete an  
21 application to proceed *in forma pauperis* and attach both an inmate account statement for the  
22 past six months and a properly executed financial certificate. Plaintiff has not submitted an  
23 *in forma pauperis* application. As such, the Court grants Plaintiff thirty (30) days from the date  
24 of this order to either file a complete application to proceed *in forma pauperis* or pay the full  
25 filing fee of \$400. The Court will retain Plaintiff's 23-page letter (ECF No. 1-1), but will not file  
26 it until the matter of the payment of the filing fee is resolved. To the extent that the 23-page  
27 letter is not Plaintiff's complaint, Plaintiff shall file his complaint within thirty (30) days from the  
28 date of this order on the form provided by this Court.

## II. CONCLUSION

For the foregoing reasons, IT IS ORDERED that the Clerk of the Court SHALL SEND Plaintiff the approved form application to proceed *in forma pauperis* by a prisoner, as well as the document entitled information and instructions for filing an *in forma pauperis* application.

IT IS FURTHER ORDERED that within **thirty (30) days** from the date of this order, Plaintiff shall either: (1) file a fully complete application to proceed *in forma pauperis*, on the correct form with complete financial attachments in compliance with 28 U.S.C. § 1915(a); or (2) pay the full filing fee of \$400.

9 IT IS FURTHER ORDERED that the Clerk of the Court SHALL SEND to Plaintiff the  
10 approved form for filing a § 1983 complaint, instructions for the same, and a copy of Plaintiff's  
11 23-page letter (ECF No. 1-1). If Plaintiff chooses to submit a new complaint, he shall do so  
12 within **thirty (30) days** from the date of this order.

13 IT IS FURTHER ORDERED that if Plaintiff does not timely comply with this order,  
14 dismissal of this action may result.

15 IT IS FURTHER ORDERED that the Clerk of the Court shall retain the 23-page letter  
16 (ECF No. 1-1), but shall not file it at this time.

17 IT IS FURTHER ORDERED that a decision on the motion for appointment of counsel  
18 (ECF No. 1-2) is deferred at this time.

20 DATED: This 9<sup>th</sup> day of April, 2014.

United States Magistrate Judge